

**ENTERED**

July 13, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CHUN-SHENG YU, §  
§  
Plaintiff, §  
VS. § CIVIL ACTION NO. 4:16-CV-03138  
§  
THE UNIVERSITY OF HOUSTON AT §  
VICTORIA, *et al*, §  
§  
Defendants. §

**OPINION AND ORDER**

**ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION**

Pending before the Court in the above-referenced proceeding is Defendants University of Houston at Victoria and University of Houston System's ("Defendants") Motion to Dismiss Plaintiffs Request for Punitive Damages, Doc. 22, Plaintiff Chun-Sheng Yu's ("Yu") Response, Doc. 23, Defendants' Reply, Doc. 25, and Judge Stacy's Memorandum and Recommendation that the Court grant the Defendants' Motion, Doc. 31. Plaintiffs did not object to the Memorandum and Recommendation. Thus, under Local Rule 7.4, the Memorandum and Recommendation is deemed unopposed.

Upon review, the Court agrees with the Magistrate Judge's conclusion that the Defendants are exempt from punitive damages because they are both government agencies as defined under 42 U.S.C. § 1981a(b)(1). Doc. 31 at 2. Accordingly, the Court hereby

**ORDERS** that the Memorandum and Recommendation, Doc. 31, is **ADOPTED**. Defendants University of Houston at Victoria and University of Houston System's Motion to Dismiss Plaintiffs Request for Punitive Damages, Doc. 22, is **GRANTED**.

SIGNED at Houston, Texas, this 13th day of July, 2018.

Melinda Harmon

MELINDA HARMON  
UNITED STATES DISTRICT JUDGE